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 9 Attorneys for LDS and Donald C. Fossum
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19 UNITED STATES DISTRICT COURT
 20 FOR THE EASTERN DISTRICT OF WASHINGTON

21 THOMAS A. WAITE,
 22 Plaintiff,
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 24 vs.
 25 THE CORPORATION OF THE
 26 PRESIDING BISHOP OF THE CHURCH
 27 OF JESUS CHRIST OF LATTER DAY
 28 SAINTS, a Utah corporation; THE
 1 CORPORATION OF THE PRESIDENT
 2 OF THE CHURCH OF JESUS CHRIST
 3 OF LATTER DAY SAINTS, a Utah
 4 corporation; DONALD C. FOSSUM; and
 5 STEVEN D. BRODHEAD,
 6
 7 Defendants.

8 Case No.: CV-05-399-EFS
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19 AFFIDAVIT OF BRIAN T.
 20 REKOFKE IN SUPPORT OF
 21 DEFENDANTS' MOTION TO
 22 CONTINUE EXPERT
 23 DISCLOSURE DATES FOR
 24 NEUROPSYCHOLOGY
 25 OPINIONS

26 STATE OF WASHINGTON)
 27 :ss
 28 County of Spokane)

29 Brian T. Rekofke, being first duly sworn upon oath, deposes and says:

30 1. I am one of the attorneys for the LDS Defendants and Donald
 31 Fossum and make this affidavit on personal knowledge.
 32 2. Plaintiff has identified five (5) experts, including a forensic
 33 neuropsychologist, William Burkhart.

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 37 AFFIDAVIT OF BRIAN T. REKOFKE IN SUPPORT OF
 38 DEFENDANTS' MOTION TO CONTINUE
 39 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 1
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 42 A PROFESSIONAL SERVICE CORPORATION
 43 ATTORNEYS & COUNSELORS

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1 3. Dr. Burkhart's opinions are based on his testing/evaluation of
 2 plaintiff, Thomas Waite.

3 4. To respond to Plaintiff's neuropsychological expert, Defendants have
 4 retained neuropsychologist Dr. Frederick Wise.

5 5. As with Plaintiff's experts, Dr. Wise needs to test/evaluate Thomas
 6 Waite prior to being able to render opinions.

7 6. For this reason, Defendants respectfully request additional time to
 8 disclose the expert report of Dr. Wise.

9 7. Dr. Wise is scheduled to conduct his examination of Thomas Waite
 10 on February 7-8, 2007, in Seattle.

11 8. This is the earliest that Dr. Wise can test and evaluate Thomas Waite.

12 9. Dr. Wise has promised to expedite his IME report.

13 10. Defendants will file expert reports from their remaining experts on
 14 January 22, 2007.

15 11. Defendants respectfully request additional time to submit expert
 16 reports by Dr. Wise following his evaluation.

17 12. Defendants request the disclosure of Dr. Wise's opinions be
 18 continued from January 22, 2007 to February 16, 2007.

19 13. This extension will not impact the discovery cut-off of May 11,
 20 2007.

21 14. This extension will not impact the trial date of September 7, 2007.

22 15. Defendants will stipulate to an extension of time for Plaintiff to
 23 designate rebuttal experts.

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27 AFFIDAVIT OF BRIAN T. REKOFKE IN SUPPORT OF
 DEFENDANTS' MOTION TO CONTINUE

28 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 2

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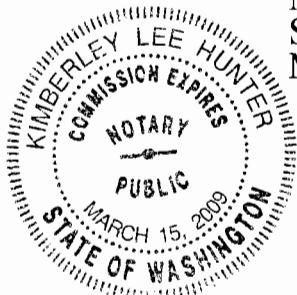
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Brian T. Rekofke

7 SUBSCRIBED AND SWORN to before me this 16th day of January,
8 2007.

9
10 Print Name: Kimberley Lee Hunter
11 NOTARY PUBLIC in and for the
12 State of Washington, residing in Spokane
13 My Commission expires: 3/15/09



AFFIDAVIT OF BRIAN T. REKOFKE IN SUPPORT OF
DEFENDANTS' MOTION TO CONTINUE

EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 3

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of January, 2007:

1. I electronically filed the foregoing **Affidavit of Brian T. Rekofke in Support of Defendants' Motion to Continue Expert Disclosure Dates for Neuropsychology Opinions** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

(for Waite) Richard C. Eymann and Stephen L. Nordstrom;
(for Brodhead) Andrew C. Smythe
2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: **None**.
3. I hereby certify that I have hand delivered the document to the following participants at the addressees listed below: **None**.

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AFFIDAVIT OF BRIAN T. REKOFKE IN SUPPORT OF
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EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ... 4

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